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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of
Administering of the North
American Numbering Plan

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CC Docket No. 92-237

COMMENTS OF THE NORTH AMERICAN TELECOMMUNICATIONS ASSOCIATION

The North American Telecommunications Association ("NATA") submits the following comments in response to the Commission's Notice of Inquiry in these proceedings, FCC 92-470, released October 29, 1992.

STATEMENT OF INTEREST

NATA is a trade association of more than 600 manufacturers, suppliers, distributors, retailers and users of customer premises equipment ("CPE"). Founded in 1970, NATA exists to promote competitive markets and healthy sales and support channels for users of business and public communications products and services. NATA has actively participated in FCC proceedings affecting CPE markets. NATA supports regulatory policies that promote fair competition in the telecommunications equipment and services distribution marketplace.

NATA and its members have a strong interest in ensuring efficient and fair administration of the numbering plan, and in ensuring that changes in the numbering plan that affect CPE are not made without full consideration of the necessity for the changes and their impact on those affected.

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NATA's initial comments address the specific issue raised by the Commission regarding a possible transition from 10XXX to 101XXXX access codes. We reserve the right to address other issues in the reply round in response to comments of other parties.

DISCUSSION

In ¶¶ 36-38 of the Notice, the Commission requests comment on the question of whether the existing 10XXX format for "equal access codes" should be expanded to 101XXXX in order to accommodate a supposed need for additional 10XXX access codes. The Notice states that "the industry" has agreed upon implementation of the 101XXXX format in 1995. Notice, ¶¶ 36-37.

NATA wishes to make clear that it is not a party to any "industry" agreement regarding this matter.

Currently, under the Telephone Operator Consumer Services Improvement Act of 1990 ("TOCSIA"), Pub. L. No. 101-435, 104 Stat. 1986 (1990), codified at 47 U.S.C. § 226, manufacturers of equipment used by aggregators are required to include the capability to process "equal access code" dialing in all equipment manufactured after April 17, 1992. In reply comments in CC Docket No. 90-313, filed October 23, 1990, NATA explained that manufacturers require a substantial lead time in order to incorporate new number processing capabilities into equipment. NATA requested the Commission to rule that the 1992 deadline applied only to the incorporation of 10XXX dialing capability. The

Commission so ruled. Policies and Rules Concerning Operator Service Providers, 6 FCC Rcd 2744 (1991).

Regarding successor "equal access" codes, the legislative history of TOCSIA indicates that the FCC is to:

develop and implement policies to ensure that equipment is designed to recognize future access codes approved by the FCC within a reasonable amount of time.

S. Rep. No. 439, 101st Cong., 2d Sess. 19 (1990). Thus, if NATA members and their customers are to be required by law to implement 101XXXX capabilities, the FCC must amend its rules and ensure that the industry has a reasonable time period to implement such a change. In its October 1990 reply comments, NATA urged the Commission to address, as soon as possible, the issue of whether the "equal access" code would be changed from 10XXX to 101XXXX. In the present Notice of Inquiry, the Commission now raises this issue for the first time.

NATA has conducted a survey of its manufacturer members in order to determine whether current models of customer premises equipment ("CPE") industry are capable of implementing 101XXXX access codes. Manufacturers were asked whether their equipment was capable of implementing 101XXXX codes (without going beyond routine maintenance procedures), and when they could (or did) begin producing equipment capable of implementing 101XXXX codes. Out of 16 manufacturers responding, seven indicated that the equipment they were currently producing had 101XXXX processing capability. Two indicated that some of their current models had the capability while others did not. Nine indicated that their current equipment

models could not process 101XXXX codes. Among the six PBX manufacturers who responded, estimates of when the capability was or could be implemented ranged from 1990 to 1995. Only one of the PBX manufacturers indicated it had implemented 101XXXX capability prior to 1992. All the payphone manufacturers who responded indicated that the equipment they are manufacturing today cannot process 101XXXX dialing without modification.

The results of NATA's survey indicate that most manufacturers apparently are not currently manufacturing a complete line of CPE that can process 101XXXX, and that only one of six responding PBX manufacturers was manufacturing such equipment before 1992. Moreover, the installed base of CPE at any time contains equipment of widely varying vintages. Much of the CPE currently in the installed base cannot even process 10XXX access codes. Clearly, if the Commission were to require aggregators to universally implement a 101XXXX access code by 1995, a massive amount of equipment modification, retrofitting, and replacement would be required.

NATA members, as well as others in the industry, have been required by law to incur a considerable expense to ensure that their equipment can process 10XXX dialing. If there is a transition to 101XXXX, the effort to implement 10XXX will have been wasted, and the conversion and retrofitting process will have to be repeated for a new dialing format.

Moreover, the 10XXX dialing format that the industry has worked so hard to implement would be replaced by a format that is

less familiar and convenient for consumers. Consumers have been "trained" to dial access codes with the format 10XXX, and this consumer education process will continue at least until 1995. If, at that time, a new "equal access code" is introduced to replace 10XXX, all the benefits of this consumer education effort will be wiped out. Consumers will have to relearn a new, more complicated and less convenient access code format.

NATA also questions the seriousness of the alleged shortage of 10XXX access codes. NATA is not aware that there are more than a few dozen 10XXX access codes, at most, which are actually used by consumers to dial an equal access connection with an interexchange carrier. To the extent that carrier identification codes are used for other purposes (e.g., billing and collection arrangements with local exchange carriers), it would appear that four-digit codes could be used for these purposes without exhausting the supply of three-digit codes genuinely needed for equal access dialing. Given the costs involved in converting the existing base of CPE to 101XXXX capability, and the inconvenience to end users of having to learn a new dialing format, NATA strongly recommends that the Commission should explore other means of addressing the perceived shortage of carrier identification codes. For example, carriers should be limited to only one three-digit code. If there continues to be a shortage after all carriers' extra codes have been reclaimed, then the Commission should take other steps to preserve the availability of three-digit codes for genuine equal access purposes. For example, local exchange

carriers should accept four-digit codes for billing and collection purposes, so that interexchange carriers who do not need equal access connections can relinquish their three-digit codes if necessary. Finally, the Commission should consider prohibiting the use of three-digit codes by end users.

CONCLUSION

For the foregoing reasons, the Commission should find that it is not in the public interest to implement 101XXXX access codes, and should take the necessary steps to ensure that sufficient 10XXX codes are available for genuine equal access purposes.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert F. Aldrich", is written over a horizontal line.

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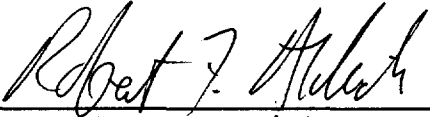
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing "Comments of the North American Telecommunications Association" was served this 28th day of December, 1992, by hand-delivering true copies thereof, to the following persons at the addresses listed below:

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